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10/619,917	07/15/2003	Christopher J. Allen	60021-378501	7149

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EXAMINER

STACE, BRENT S

ART UNIT PAPER NUMBER

2161

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/619,917

Applicant(s)

ALLEN ET AL.

Examiner

Brent S. Stace

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20060206</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Remarks***

1. Claims 1-33 have been examined. Claims 1-33 have been rejected. This document is the first Office action on the merits.

### ***Information Disclosure Statement***

2. The listing of references in the Search Report is not considered to be an information disclosure statement (IDS) complying with 37 CFR 1.98. 37 CFR 1.98(a)(2) requires a legible copy of: (1) each foreign patent; (2) each publication or that portion which caused it to be listed; (3) for each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion, unless the cited pending U.S. application is stored in the Image File Wrapper (IFW) system; and (4) all other information, or that portion which caused it to be listed. In addition, each IDS must include a list of all patents, publications, applications, or other information submitted for consideration by the Office (see 37 CFR 1.98(a)(1) and (b)), and MPEP § 609.04(a), subsection I. states, "the list ... must be submitted on a separate paper." Therefore, the references cited in the Search Report have not been considered. Applicant is advised that the date of submission of any item of information or any missing element(s) will be the date of submission for purposes of determining

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compliance with the requirements based on the time of filing the IDS, including all "statement" requirements of 37 CFR 1.97(e). See MPEP § 609.05(a).

### ***Specification***

3. The abstract of the disclosure is objected to because it is more than one paragraph. Correction is required. See MPEP § 608.01(b).
4. The use of the trademark "Oracle" and several others has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

### ***Claim Objections***

5. Claim 22 is objected to because of the following informality:
  - a. Claim 22 is not grouped together with the claim or claims to which they refer to the extent practicable. Specifically, Claim 22 depends on Claim 18 when the nearest claim it can depend from is Claim 19. It also appears that the applicant intended Claim 22 to depend from Claim 19 so as to have a matching Claim tree to that of Claims 8-11. See MPEP § 608.01(m) and 37 C.F.R. 1.75(g).Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,038 (McFarlane et al.) in view of U.S. Patent No. 6,901,380 (Bremers).

9. For **Claim 1**, McFarlane teaches: "A method of maintaining skills for agents of a contact center, [McFarlane, col. 4, lines 11-28] the method comprising:

- providing profiles in a central skill database for a plurality of agents; [McFarlane, col. 4, lines 7-28 with McFarlane, Fig. 6]

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- receiving skill data from a skill-impacting system for a first agent; [McFarlane, col. 11, lines 23-55]
- updating a first profile in the central skill database for the first agent based on the skill data received" [McFarlane, col. 11, lines 23-55 with McFarlane, col. 12, lines 17-20].

McFarlane discloses the above limitations but does not expressly teach:

- "...synchronizing a routing system with skill-based information from the first profile in the central skill database."

With respect to Claim 1, an analogous art, Bremers, teaches:

- "...synchronizing a routing system with skill-based information from the first profile in the central skill database" [Bremers, col. 6, lines 32-42 with Bremers, cols. 15-16, lines 63-8].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Bremers with McFarlane because both inventions are directed towards utilizing databases on computers.

Bremers's invention would have been expected to successfully work well with McFarlane's invention because both inventions use databases. McFarlane discloses a system for integrating agent database access skills in call center agent assignment applications comprising an agent database and routing calls to the proper agents, however McFarlane does not expressly disclose synchronizing the routing system with skill based information from the first profile in the central skill database. Bremers

discloses a merchandising system method and program product utilizing an intermittent network connection comprising synchronizing databases.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the synchronization methods and a second database to synchronize with from Bremers and install them into the invention of McFarlane, thereby offering the obvious advantage of reducing the bandwidth on the database of agent skills so as to reduce cost.

10. **Claim 2** can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, further comprising:

- receiving a contact from a customer; [McFarlane, col. 4, lines 28-33]
- processing routing logic in the routing system to select a second agent from the plurality of agents; [McFarlane, col. 4, lines 39-60] and
- routing the contact to the second agent; [McFarlane, col. 4, lines 39-60]
- wherein the routing logic depends on agent availability and the skill-based information in the routing system" [McFarlane, col. 4, lines 39-60].

11. **Claim 3** can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein synchronizing the routing system is accomplished for a plurality of profiles in the central skill database" [Bremers, col. 8, lines 32-43].

12. **Claim 4** can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein updating the first profile is triggered when skill data is received from the skill-impacting system" [McFarlane, col. 11, lines 26-55 with McFarlane, col. 12, lines 17-20].

13. **Claim 5** can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein synchronizing the routing system is automatically run when triggered by an event" [McFarlane, col. 4, lines 28-60].

14. **Claim 6** can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein synchronizing the routing system is automatically run at a predetermined time interval" [Bremers, cols. 15-16, lines 63-8].

15. **Claim 7** can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 1, wherein the skill data is received from a plurality of skill-impacting systems" [McFarlane, col. 11, lines 23-55 with McFarlane, col. 12, lines 17-20].

16. For **Claim 8**, McFarlane teaches:

- ...maintaining a plurality of profiles in a central skill database corresponding to a plurality of contact center agents, [McFarlane, col. 4, lines 7-28 with McFarlane, Fig. 6] wherein the plurality of profiles comprise skill-based ratings for a plurality of skills; [McFarlane, col. 11, lines 22-26 with McFarlane, Fig. 6]
- using data from at least one skill-impacting system to update the plurality of profiles in the central skill database; [McFarlane, col. 11, lines 23-55 with McFarlane, col. 12, lines 17-20]
- ...wherein the source data is based on agent skills and is leveraged by routing logic to make routing decisions" [McFarlane, col. 4, lines 39-60].

McFarlane discloses the above limitations but does not expressly teach: "A method for synchronizing skill data in a contact center, comprising:

- ...maintaining source data in a routing system for the contact center



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- ...updating the source data based on agent skills with skill-based ratings in the central skill database.”

With respect to Claim 8, an analogous art, Bremers, teaches: “A method for synchronizing skill data in a contact center [Bremers, col. 6, lines 32-42 with Bremers, cols. 15-16, lines 63-8] comprising:

- ...maintaining source data in a routing system for the contact center [Bremers, col. 6, lines 19-42 with McFarlane, col. 4, lines 39-60]
- ...updating the source data based on agent skills with skill-based ratings in the central skill database” [Bremers, col. 6, lines 32-42 with Bremers, cols. 15-16, lines 63-8].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Bremers with McFarlane because both inventions are directed towards utilizing databases on computers.

Bremers’s invention would have been expected to successfully work well with McFarlane’s invention because both inventions use databases. McFarlane discloses a system for integrating agent database access skills in call center agent assignment applications comprising an agent database and routing calls to the proper agents, however McFarlane does not expressly disclose synchronizing the routing system with skill based information from the first profile in the central skill database. Bremers discloses a merchandising system method and program product utilizing an intermittent network connection comprising synchronizing databases.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the synchronization methods and a second database to synchronize with from Bremers and install them into the invention of McFarlane, thereby offering the obvious advantage of reducing the bandwidth on the database of agent skills so as to reduce cost.

17. **Claim 9** can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 8, further comprising:

- identifying at least one contact characteristic for a customer; [McFarlane, col. 4, lines 28-35] and
- selecting an agent from the plurality of agents for the customer; [McFarlane, col. 4, lines 39-60]
- wherein selecting comprises processing the routing logic to consider the skill-based ratings of the plurality of agents in view of the at least one contact characteristic" [McFarlane, col. 4, lines 39-60].

18. **Claim 10** can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 9, wherein selecting further comprises choosing an agent who is a best-fit" [McFarlane, col. 4, lines 51-60 with McFarlane, col. 5, lines 61-65 with McFarlane, col. 8, lines 7-11].

19. **Claim 11** can be mapped to McFarlane (as modified by Bremers) as follows: "The method from claim 8 wherein maintaining the plurality of profiles is triggered by the occurrence of a skill-changing event indicated by the at least one skill-impacting system" [McFarlane, col. 11, lines 26-55 with McFarlane, col. 12, lines 17-20].

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20. **Claims 12-18** encompass substantially the same scope of the invention as that of Claims 1-7, respectfully, in addition to a system and some modules for performing the method steps of Claims 1-7, respectfully. Therefore, Claims 12-18 are rejected for the same reasons as stated above with respect to Claims 1-7, respectfully.

21. **Claims 19-21** encompass substantially the same scope of the invention as that of Claims 8-10, respectfully, in addition to a system and some modules for performing the method steps of Claims 8-10, respectfully. Therefore, Claims 19-21 are rejected for the same reasons as stated above with respect to Claims 8-10, respectfully.

22. **Claim 22** can be mapped to McFarlane (as modified by Bremers) as follows:

"The system from claim 18 wherein the profile module for maintaining the plurality of profiles is triggered by the occurrence of a skill-changing event indicated by the at least one skill-impacting system" [McFarlane, col. 11, lines 26-55 with McFarlane, col. 12, lines 17-20].

23. **Claims 23-29** encompass substantially the same scope of the invention as that of Claims 1-7, respectfully, in addition to a computer program on a computer readable medium and some code for performing the method steps of Claims 1-7, respectfully. Therefore, Claims 23-29 are rejected for the same reasons as stated above with respect to Claims 1-7, respectfully.

24. **Claims 30-33** encompass substantially the same scope of the invention as that of Claims 8-11, respectfully, in addition to a computer program on a computer readable medium and some code for performing the method steps of Claims 8-11, respectfully.

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Therefore, Claims 30-33 are rejected for the same reasons as stated above with respect to Claims 8-11, respectfully.

### Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is advised that, although not used in the rejections above, prior art cited on the PTO-892 form and not relied upon is considered materially relevant to the applicant's claimed invention and/or portions of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent S. Stace whose telephone number is 571-272-8372. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brent Stace

BG

  
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